

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:

C & C Screening, Inc.
Portable Plant
Flushing, Michigan

NOTICE OF VIOLATION

EPA-5-01-MI-20

PROCEEDINGS PURSUANT TO
SECTION 113(a) (1) OF THE
CLEAN AIR ACT,
42 U.S.C. § 7413(a) (1).

Notice of Violation

The Administrator of the United States Environmental Protection Agency (U.S. EPA) is issuing this Notice of Violation under Section 113(a) (1) of the Clean Air Act, 42 U.S.C. § 7413(a) (1). U.S. EPA finds that C & C Screening, Inc. (C & C) is violating the Michigan State Implementation Plan (SIP) at its Portable Plant located in Flushing, Michigan, as follows:

Statutory and Regulatory Background

1. On May 6, 1980, U.S. EPA approved Michigan Air Pollution Control Commission Rule R336.1201 (Rule 201), pertaining to Permits to Install, as part of the federally enforceable SIP for Michigan. 45 Fed. Reg. 29790.
2. Michigan Rule 201 states that a person shall not install, construct, reconstruct, relocate or alter any process, which may be a source of an air contaminant, until a permit is issued by the commission. This shall be known as a permit to install and shall cover construction, reconstruction, relocation, and alteration of equipment where such is involved. A person planning to install, construct, reconstruct, relocate or alter any process shall apply to the commission for a permit to install.

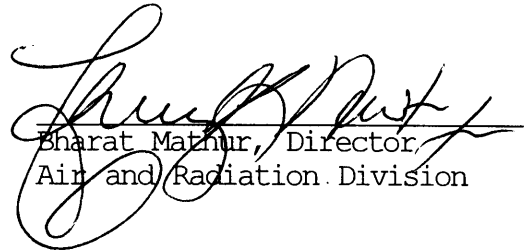
C & C's Portable Plant

3. C & C owns and operates a portable concrete crushing plant (Portable Plant) currently located at Flushing, Michigan.
4. The Portable Plant was constructed and began operation on April 1, 2000, and is therefore subject to Michigan Rule 201.

Violation

5. C & C failed to apply for and receive a Permit to Install prior to commencing construction of the Portable Plant.

8/2/01
Date


Bharat Mathur, Director,
Air and Radiation Division